lines 22-28; and as well be used as an adhesive to join substrates together, page 6, lines 2-6.

The specification has been amended at pages 1 and 3 to correct a minor typographical error relating to "°C".

The claims have been amended in an effort to place the claims in condition for allowance. In this regard, claim 1 has been amended to unequivocally indicate that the solvent mixture comprises at least a mixture of (A) a C1-C4 alcohol and (B) a C1-C6 ketone. Optionally, an aromatic carboxylic acid or salt thereof can be added. The "and/or" language in original claim 1 may have mislead the Examiner to believe that the mixture comprises alternatively, (A) or (B) or (C). Accordingly, claim 1 has been amended to set forth what was intended by applicant. Claim 4 has been amended to state that the aromatic carboxylic acid is present in the composition and that the carboxylic acid, which is present, comprises benzoic acid. Claim 7 has been amended to remove the language objected to by the Examiner. Likewise, claim 8 has been amended to overcome the Examiner's objection to certain language.

Claims 13 through 17 have been cancelled and replaced with claims 18-23. Thus, claims 13 through 15, which were previously directed to the use of the solvent for the manufacture of film have been replaced by claims 18-20 which are now directed to a method of forming a film from a solution of recited polymer in

the novel solvent mixture. Claim 16 has been replaced by claims 21 and 22 directed to a method of coating and claim 17 has been replaced by claim 23 directed to a method of joining substrates using the claimed solution of polyester amide in the recited solvent mixture.

It is believed that all of the amendments are clearly supported in the original specification and claims and that no new matter has therefore been added.

Claims 13-17 have been rejected under 35 U.S.C. §101. The Examiner stated that the claim recitation of a "use" without setting forth any steps involved in the process is an improper definition of a process claim.

As previously stated, claims 13-17 have been cancelled and replaced with claims 18-23 which recite specific method steps. Accordingly, it is believed that this rejection is rendered moot.

Claims 5, 7, and 8 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner has objected to a typographical error in claim 8 relative to the designation of temperature in the claim. In claim 8, the term "takes place" has also been objected to. Likewise, the term "preferably" in claim 7 has been objected to.

Claim 5 has been amended to correct the typographical error related to "75°C". In claim 7, the phrase "characterized by" has

been replaced with the term "comprising" and the term "preferably" has been deleted. With respect to claim 8, the phrase "operation takes place" has been deleted and replaced with the language "is performed" as suggested by the Examiner. Accordingly, it is believed that the changes to these claims have overcome the rejection raised by the Examiner.

Claims 1, 2, 5, and 6 have been rejected under 35 U.S.C. §102(e) as being anticipated by Higashi (U.S. Patent No. 5,854,376). The Examiner states that Higashi discloses an aliphatic ester-amide copolymer, which can be dissolved in an organic solvent. The patentee states that the organic solvents are preferably aliphatic organic solvents such as aliphatic alcohols having 6 or less carbons, such as methyl and ethyl. The rejection is respectfully traversed.

Higashi is directed to aliphatic ester-amide copolymers which are dissolved in an organic solvent which is disclosed at column 3, lines 8 through 38 of the patent. The organic solvents disclosed in Higashi include aliphatic alcohols having 6 or less carbons, aliphatic glycolic ether type compounds, aliphatic acids, aliphatic sulphoxides and aliphatic amides. Higashi does not disclose a ketone nor a solvent mixture comprising an alcohol and a ketone as set forth in the instant claims. Since there is no disclosure of using a ketone as a solvent, or mixing a ketone with a lower alcohol in the Higashi patent, this patent cannot

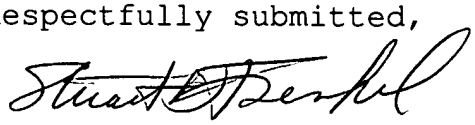
anticipate any of the claims. For anticipation, a single reference must meet each and every limitation of a claim.

Accordingly, since method claims 1-12 require the mixture of a C1-C4 alcohol and a C1-C6 ketone in the solvent mixture, it is believed that such claims patentably distinguish over Higashi and Applicants respectfully solicit favorable action on these claims. Moreover, new claims 18-20 which are directed to a method of making a film formed from a solution of an aliphatic polyester amide in a solvent mixture containing at least a C1-C4 alcohol and a C1-C6 ketone also distinguish over Higashi inasmuch as Higashi does not disclose a ketone component for use in forming solutions of biodegradable aliphatic polyester amide. Likewise, method claims 21-23 which are directed, respectively, to a method of coating a substrate and a method of adhering one substrate to another using a solution of a biodegradable aliphatic polyester amide in the claimed solvent mixture distinguish over the applied art, again, since the applied art does not disclose a ketone solvent or a solvent mixture of a ketone with a lower alcohol. It is believed that claims 1-12 and 18-23, therefore, patentably distinguish over the art of record and Applicant respectfully solicits favorable action on these claims.

A check in the amount of $39.00 is attached hereto for the extra independent claim. It is believed that no other charges are due with this submission. Should that determination be

incorrect, then please debit Deposit Account No. 50-0548 and notify the undersigned.

Respectfully submitted,



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